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IFN 1632

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| TRANSMITTAL FORM (to be used for all correspondence after initial filing) | Application Number | 10/507,466-Conf. #1259 |
| | Filing Date | September 10, 2004 |
| | First Named Inventor | Marc A. Ostermeier |
| | Art Unit | 1632 |
| | Examiner Name | S. L. Chen |
| Total Number of Pages in This Submission | Attorney Docket Number | 56908(71699) |

| ENCLOSURES (Check all that apply) | | |
|--|--|--|
| <input type="checkbox"/> Fee Transmittal Form <input type="checkbox"/> Fee Attached <input checked="" type="checkbox"/> Amendment/Reply <input type="checkbox"/> After Final <input type="checkbox"/> Affidavits/declaration(s) <input type="checkbox"/> Extension of Time Request <input type="checkbox"/> Express Abandonment Request <input type="checkbox"/> Information Disclosure Statement <input type="checkbox"/> Certified Copy of Priority Document(s) <input type="checkbox"/> Reply to Missing Parts/Incomplete Application <input type="checkbox"/> Reply to Missing Parts under 37 CFR 1.52 or 1.53 | <input type="checkbox"/> Drawing(s) <input type="checkbox"/> Licensing-related Papers <input type="checkbox"/> Petition <input type="checkbox"/> Petition to Convert to a Provisional Application <input type="checkbox"/> Power of Attorney, Revocation Change of Correspondence Address <input type="checkbox"/> Terminal Disclaimer <input type="checkbox"/> Request for Refund <input type="checkbox"/> CD, Number of CD(s) _____ <input type="checkbox"/> Landscape Table on CD | <input type="checkbox"/> After Allowance Communication to TC <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences <input type="checkbox"/> Appeal Communication to TC (Appeal Notice, Brief, Reply Brief) <input type="checkbox"/> Proprietary Information <input type="checkbox"/> Status Letter <input checked="" type="checkbox"/> Other Enclosure(s) (please identify below): Return Receipt Postcard |
| Remarks | | |

| SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT | | | |
|--|-----------------------------------|----------|--------|
| Firm Name | EDWARDS ANGELL PALMER & DODGE LLP | | |
| Signature | | | |
| Printed name | Peter F. Corless | | |
| Date | November 29, 2006 | Reg. No. | 33,860 |

I hereby certify that this paper (along with any paper referred to as being attached or enclosed) is being deposited with the U.S. Postal Service as Express Mail, Label No. EV 971 786 633 US, on the date shown below in an envelope addressed to:
MS Amendment, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

Dated: November 29, 2006

Signature:

(Elisabeth Dunkle)



I hereby certify that this paper (along with any paper referred to as being attached or enclosed) is being deposited with the U.S. Postal Service as Express Mail, Label No. EV 971 786 633 US, on the date shown below in an envelope addressed to:
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Dated: November 29, 2006

Signature:

Elisabeth Dunkle
(Elisabeth Dunkle)

Docket No.: 56908 (71699)
(PATENT)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of:
OSTERMEIER, M A

Application No.: 10/ 507,466

Confirmation No.: 1259

Filed: September 10, 2004

Art Unit: 1632

For: Molecular Switches and Methods for Making
and Using the Same

Examiner: CHEN, Shin Lin

RESPONSE TO RESTRICTION REQUIREMENT

MS Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

RESPONSE TO RESTRICTION REQUIREMENT

Applicants hereby respond as follows to the Restriction Requirement set forth in the Office Action mailed 10/31/2006,

Applicants respectfully traverse the Restriction Requirement. In particular, it is believed that multiple groups can be examined together without undue burden. Specifically, Groups I and II merit examination together.

Those Groups I and II both include subject matter of a modulatable fusion molecule comprising an insertion sequence and an acceptor sequence, wherein the insertion couples the state of the insertion sequence to the state of the acceptor sequence.

It is thus submitted that a complete search and examination of both Groups I and II as identified in the Restriction Requirement will be significantly overlapping.


Substantial time and expense for both Applicants and the USPTO will be saved if the subject matter of both Groups I and II is considered at this time, rather than necessitating the filing and examination of continuing applications.

In any event, to provide a complete response, Applicants hereby provisionally elect Group I, claims 1 - 25, drawn to a method for assembling a fusion molecule, with traverse, as that Group is defined in the Office Action.

Early examination and allowance of the application are earnestly solicited.

Dated: November 29, 2006

Respectfully submitted,

By 
Peter F. Corless
Registration No. 33,860
Attorney for Applicant

EDWARDS, ANGELL, PALMER & DODGE, LLP
P.O. Box 55874
Boston, Massachusetts 02205
(617) 439-4444